



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : RISTIC, et al.  
SERIAL NO : 09/810,764  
FILED : March 16, 2001  
TITLE : MAIZE CHLOROPLAST PROTEIN SYNTHESIS ELONGATION  
FACTORS AND METHODS OF USE FOR SAME

Grp./A.U. : 1646  
Conf. No. : 7108  
Docket No. : P03965US1

STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING  
INVENTOR (37 CFR § 1.47)

Commissioner of Patents and Trademarks  
Box DAC  
Washington, D.C. 20231

Dear Madam:

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor (Genping Yang) for the above-identified patent application before deposit thereof in the Patent and Trademark Office. This statement is being made by the available person having first-hand knowledge of the facts recited therein.

I, Lila A.T. Akrad, hereby declare the following:

1. I, Lila A.T. Akrad, am employed by McKee, Voorhees & Sease, P.L.C. as a technical consultant for Heidi S. Nebel.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231, on this 18 day of June, 2002.

Heidi S. Nebel

RECEIVED  
JUN 28 2002

OFFICE OF PETITIONS

2. In preparation of the response to the Decision Granting Petition Under 37 CFR § 1.78(a)(6) and Refusing Status Under 37 CFR § 1.47(a), requesting us to furnish a properly signed oath or declaration in compliance with 37 CFR § 1.47(a) I personally completed the following:

a) On April 29, 2002, I called the University of South Dakota Human Resources Department to request via facsimile Dr. Genping Yang's last known home address. I also faxed a letter to their attention (Exhibit A).

b) On May 7, 2002, I called the University of South Dakota Human Resources Department to check on the status of our request. An employee by the name of Beth informed me "it was on its way".

c) On May 8, 2002, I called the University of South Dakota Human Resources Department and was informed the Director, Karen Fuller, would approve the requested information and fax it to us that day.

d) On May 8, 2002, I received a fax from the University of South Dakota Human Resources Department stating the last known home address they had for Dr. Genping Yang (Exhibit B).

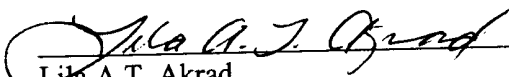
3. On May 13, 2002, my assistant, Jackie Carley, faxed the newly amended declaration with the last known home address to all the inventors.

4. The last known address of the nonsigning inventor as provided by the University of South Dakota Human Resources is as follows:

Dr. Genping Yang  
302 Prospect Street  
Vermillion, South Dakota 57069

5. All exhibits attached herewith are true and accurate copies of documents authored or received by me.

The undersigned further declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application of any patent issuing thereon.

  
Lila A.T. Akrad  
McKee, Voorhees & Sease, P.L.C.  
801 Grand Avenue, Suite 3200  
Des Moines, Iowa 50309-2721


Date June 18, 2002

STATE OF IOWA  
COUNTY OF POLK

This instrument was acknowledged before me

On June 18, 2002  
(date)

By Lila A. T. Akrad  
(name of person)

  
Notary Public  
My commission expires 5-21-2004

(SEAL)